

## STATE OF SOUTH CAROLINA

## (Caption of Case)

Application of JACABB Utilities, LLC for approval  
of an expansion of its existing water service area to  
include certain portions of Oconee County and  
request approval of the Water System Asset  
Purchase Agreement with Harts Cove and Tory  
Pointe HOA's

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

## COVER SHEET

## DOCKET

NUMBER: 2013 - 386 - W

(Please type or print)

Submitted by: James S. EakesSC Bar Number: SC Bar # 1820Address: Allen and EakesTelephone: 864-224-1681PO Box 1405Fax: 864-234-8411Anderson, SC 29622

Other: \_\_\_\_\_

Email: sheilat@goldieassociates.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

**DOCKETING INFORMATION** (Check all that apply)

☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other: \_\_\_\_\_

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input checked="" type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input checked="" type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

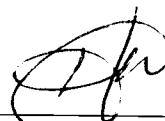
## **PUBLISHER'S AFFIDAVIT**

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE**

**GOLDIE & ASSOCIATES**

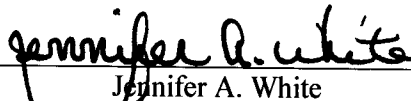
**IN RE: Notice of Filing & Hearing - #2013-386-W**

**BEFORE ME** the undersigned, a Notary Public for the State and County above named, This day personally came before me, Hal Welch, who being first duly sworn according to law, says that he is the General Manager of **THE JOURNAL**, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in **Oconee County, Pickens County** and the Pendleton area of **Anderson County** and the notice (of which the annexed is a true copy) was inserted in said papers on 12/18/2013 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.



\_\_\_\_\_  
Hal Welch  
General Manager

Subscribed and sworn to before me this  
12/18/2013



\_\_\_\_\_  
Jennifer A. White  
Notary Public for South Carolina  
My commission Expires: 05/18/2014

## LEGAL NOTICES

## LEGALS

would provide a sufficient drop or the pressure needed to generate electricity for their residence. Two six inch pipes would be used to supply water to the micro hydropower plant and return it to Lick Log Creek.

This proposal would likely have minimal if any effect on animal or plant populations or on air or water qualities.

The Forest Service, Sumter National Forest, Andrew Pickens Ranger District, is requesting public comment on these two proposals. This comment period coincides with public scoping and will be the only comment opportunity offered on this project (see 36 CFR 215.5 and 215.6). It is intended to provide those interested in or affected by the proposal a chance to voice their concerns before the Responsible Official makes a decision. The Responsible Official for this project is the Forest Supervisor, Francis Marion and Sumter National Forest. We are providing this comment period to comply with a recent U.S. District Court ruling in Sequoia Forestkeeper v. Tidwell, which invalidated certain section of the agency's appeal regulations. Those who provide comments or otherwise express interest by the close of the comment period may be eligible to appeal the decision pursuant to regulations in 36 CFR Part 215.

Written, faxed, hand-delivered, or and electronic comments concerning this action will be accepted for calendar days following publication of this notice in The Journal. The publication date in the newspaper of record is the exclusive means for calculating the comment period for this analysis. Those wishing comment should not rely upon date or timeframe information provided by any other source. The regulations prohibit extending the length of the comment period.

Written comments must be submitted to: District Ranger, 112 Andrew Pickens Circle, Mountain Rest, SC 29664, Telephone: (864) 638-9568 and FAX: (864) 638-2659. The office hours for those submitting hand-delivered comments are 8a.m. 4:30p.m., Monday through Friday, excluding Federal holidays. Oral comments must be provided at the

## LEGAL NOTICES

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District Ranger office during normal business hours via telephone, in person, or at an official agency function (i.e. public meeting) designed to elicit public comments. Electronic comments must be submitted to: comments-southern-francismarion-sumter-andrewpickens@fed.us in an email message or in one of the following electronic formats: rich text format (.rtf), portable document format (.pdf) or word (.doc or .docx). In cases where no identifiable name is attached to a comment, a verification of identity will be required for appeal eligibility. If using an electronic message, a scanned signature is one way to provide verification. It is the responsibility of the persons providing comments to submit them by the close of the comment period. The proposed action description and other information are available for review at Stumphouse Ranger Station, Mountain Rest, SC. Additional information regarding this action can be obtained from: Jen Bahniart at (864) 638-9588.

PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA  
CLERK'S OFFICENOTICE OF FILING AND HEARING  
DOCKET NO. 2013-386-W

Application of JACABB Utilities, LLC for Approval of an Expansion of Its Existing Water Service Area to Include Certain Portions of Oconee County and Request for Approval of the Water System Asset Purchase Agreement with Harts Cove and Tory Pointe Homeowners' Associations JACABB Utilities, LLC ("Applicant" or "Utility" or "JACABB"), pursuant to Title 58, Chapter 5 of the South Carolina Code, including, S.C. Code Ann. §58-5-210 and 10 S.C. Code Ann. Regs. 103-704 and 103-743 filed an application for expansion of its authorized water service area to include certain portions of Oconee County, South Carolina and for approval of the Water System Asset Purchase Agreement with Harts Cove and Tory Pointe Homeowner's Association. The water service area for which expansion is sought (the Proposed Service Area) is located in Oconee County, South Carolina, includes multi-family residences, a clubhouse, pool, and outside irriga-

## LEGAL NOTICES

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tion and faucets in the Harts Cove and Tory Pointe Subdivision and is controlled by The Harts Cove Homeowner's Association and Tory Pointe Homeowner's Association (HOAs). According to the Application, the Utility also seeks approval of an agreement entered into between JACABB and Harts Cove Homeowner's Association and Tory Pointe Homeowner's Association dated June 13, 2013.

The Application states that Clemson University is authorized to serve the Proposed Service Area and has agreed to only serve this multi-family subdivision by means of a master meter. JACABB requests that it be allowed to provide service in the Proposed Service Area pursuant to the rates and charges set forth in its existing monthly rate schedule as approved under Order No. 2008-697 in Docket No. 2008-173-W. Additionally, the Applicant seeks approval of Amendment One to the Water System Asset Purchase Agreement with Harts Cove and Tory Pointe Homeowner's Association that allows the Utility to bill the customers in the Proposed Service Area for sewer service and to charge a monthly billing fee of \$2.50 to each customer for this service. The sewer service is provided by Seneca Light & Water and is based on water usage from the master meter with one monthly invoice to the HOAs for sewer service.

A copy of the company's application can be found on the Commission's website at [www.psc.sc.gov](http://www.psc.sc.gov) under Docket No. 2013-386-W. Additionally, a copy of the application is available from the corporate office of James S. Eakes, Esquire, Allen and Eakes, Post Office Box 1405, Anderson, South Carolina 29622.

PLEASE TAKE NOTICE that a hearing on the above matter has been scheduled to begin on Thursday, March 06, 2014, at 10:00 a.m., before the Commission in the Commission's Hearing Room at 101 Executive Center Drive, Saluda Building, Columbia, South Carolina 29210 for the purpose of receiving testimony and evidence from all interested parties.

Any person who wishes to participate in this matter as a party of record

## LEGAL NOTICES

## LEGALS

should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before January 13, 2014. For the receipt of future Commission correspondence, please include an email address in the Petition to Intervene. Please refer to Docket No. 2013-386-W and mail a copy to all other parties in this docket. Any person who wishes to testify and present evidence at the hearing should notify, in writing, the Commission; the Office of Regulatory Staff at 1401 Main Street, Suite 900, Columbia, South Carolina 29201; and the company at the above address, on or before January 13, 2014. Please refer to Docket No. 2013-386-W. Any person who wishes to request that the Commission hold a public hearing in his or her county of residence in order to hear comments from the utility's customers, should notify, in writing, the Commission; the Office of Regulatory Staff at 1401 Main Street, Suite 900, Columbia, South Carolina 29201; and the company at the above address, on or before January 13, 2014. Please refer to Docket No. 2013-386-W. For the most recent information regarding this docket, please refer to [www.psc.sc.gov](http://www.psc.sc.gov) and Docket No. 2013-386-W.

PLEASE TAKE NOTICE that any person who wishes to have his or her comments considered as part of the official record of this proceeding MUST present such comments in person to the Commission during the hearing.

Persons seeking information about the Commission's procedures should contact the Commission at (803) 896-5100 or visit its website at [www.psc.sc.gov](http://www.psc.sc.gov).

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**BEFORE**  
**THE PUBLIC SERVICE COMMISSION OF**  
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**DOCKET NO. 2013- 386 -W**

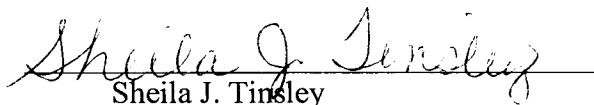
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Agreement with Harts Cove and Tory Pointe )  
Homeowner's Associations. )  
\_\_\_\_\_ )

**CERTIFICATE OF SERVICE**

This is to certify that I have caused to be served this day one (1) copy of the  
**Notice of Filing** by placing same in the care and custody of the United States Postal  
Service with first class postage affixed thereto and addressed as follows:

Scott Moulder  
County Administrator  
415 S. Pine Street  
Walhalla, SC 29691

  
Sheila J. Tinsley

Seneca, South Carolina  
This 17 day of December 2013

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION OF**  
**SOUTH CAROLINA**

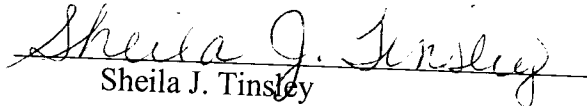
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**CERTIFICATE OF SERVICE**

This is to certify that I have caused to be served this day one (1) copy of the **Notice of Filing** by placing same in the care and custody of the United States Postal Service with first class postage affixed thereto and addressed to the customers, owners and tenants, at the Harts Cove and Tory Pointe Development.

  
Sheila J. Tinsley

Seneca, South Carolina  
This 17 day of December 2013